

**REMARKS**

The present amendment is in response to the Office Action mailed on March 24, 2005, in which Claims 1-21 are rejected. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the above amendments, are believed to render the claims at issue patentable.

Claims 1, 2, 13 and 14 are amended to particularly point out the features of the present application. In addition, paragraphs 4, 10 and 22 of the specification are appropriately corrected according to the indications of the Office Action. Applicant respectfully submits that no new matter has been added and that the originally filed specification, drawings, and claims support the amendments.

**Claim Rejections Under 35 U.S.C. § 112**

With respect to the Office Action, Claims 1-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response thereto, Claim 1 is amended to particularly point out the features thereof. The "inner side" of Claim 1 is an inner side of the closed end. Reconsideration and withdrawal of this rejection is respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102**

With respect to the Office Action, Claims 1-5, 7, 13-14, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent 6-86,523. Claims 1, 3-5, 7, 9-11, 13, and 17-19 were rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi 5,663,604. Claims 1-3, 5-7, 13-15, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by World Order Patent 02/20994 A1. Claims 1-7, 13-15, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Bradbury 6,129,528. Claims 1-3, 5, 7, 13-14, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Fukuda 6,394,768.

In response thereto, Claims 1, and 13 are amended to particularly point out the feature of the present application. Applicant appreciates the detailed indications in the Office Action.

However, all cited references never teach or suggest that the blades of the rotor assembly extend from the hub and the heights of upper edges of the blades are substantially

Attorney Docket No. JLINP165 6

equal to a height of a top surface of the hub. Accordingly, the blade has a largest area to blow the air. Therefore, the rotor assembly of the present application can reduce the overall thickness thereof and still provide a largest blade area to blow the air.

Furthermore, referring to Claims 2 and 14, the distance between the top portion and the periphery portion is substantially the same as a thickness of the position section of the hub. Accordingly, the height of the housing is substantially equal to the heights of the upper edges of the blades and also equal to the height of the top surface of the position section of the hub. Therefore, the blade of the rotor assembly has the largest blade area to blow the air and the thickness of the rotor assembly is reduces to construct a thin motor structure without decreasing the space provided for the permanent magnet and coil in the fan motor. The heights of the blades, the hub, and the housing are designed substantially at the same altitude so that the rotor assembly is an optimal rotor assembly without any wasted space.

Accordingly, the rotor assembly of the present application and the cited references are different. Claims 1, and 13 cannot be anticipated by Japanese Patent 6-86,523, Takahashi, World Order Patent 02/20994 A1., Bradbury, and Fukuda.

Applicant respectfully submits that independent claims 1 and 13 are allowable over the prior art of record. In addition, Claims 2-12 and 14-21 depend on Claims 1 and 13 respectively and add further limitations thereto, are also allowable over the cited references.

**Claim Rejection - 35 U.S.C. § 103**

With respect to the Office Action, Claims 8 and 16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Japanese Patent 6-86,523. Claims 12 and 20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Japanese Patent 6-86,523 in view of Kershaw 5,944,497.

Applicant respectfully traverses this rejection. Since the rotor assembly of the present application and the cited references are different, and even in view of Kersha, Claims 1 and 13 are not obvious to a person having ordinary skill in the art.

Accordingly, Applicant respectfully submits that amended Claims 1 and 13 are allowable over the cited references. Therefore, Claims 2-12 and 14-21, depend on Claims 1 and 13 respectively and add further limitations thereto, are also allowable over the cited references. Applicant respectfully requests that the 35 U.S.C. § 103 (a) rejections of Claims 8, 12, 16 and 20 be withdrawn. Reconsideration and withdrawal of this rejection is respectfully requested.

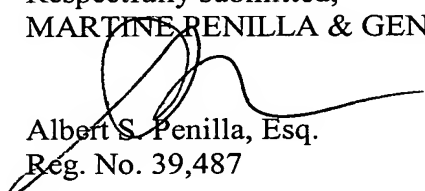
**CONCLUSION**

In light of the above amendments and remarks, Applicant respectfully submits that all pending claims as currently presented are in condition for allowance and hereby respectfully requests reconsideration. Applicant respectfully requests the Examiner to pass the case to issue at the earliest convenience.

Applicant has thoroughly reviewed the art cited but not relied upon by the Examiner. Applicant has concluded that these references do not affect the patentability of the claims as currently presented.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No JLINP165). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP



Albert S. Penilla, Esq.  
Reg. No. 39,487

710 Lakeway Drive, Suite 200  
Sunnyvale, CA 94085  
Telephone: (408) 749-6900  
Facsimile: (408) 749-6901